

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Johnson, Landis, Schram and Vap present, and Commissioner Boyle excused. Chairman Johnson invited the public to address the Commission. Chairman Johnson also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published November 13, 2007 on Page 6 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held November 20, 2007 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Monday, November 26, 2007:

10:00 Commission Hearing Room, Lincoln.
 Enhanced Wireless 911 Advisory Board Meeting.

COMMUNICATIONS DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter orders granting applications AD-416r and AD-417r. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

AD-416r In the Matter of Williams & Fudge, Inc., Rock Hill, South Carolina, seeking authority to register the connection of an automatic dialing-announcing device.

AD-417r In the Matter of Northland Group, Inc., Edina, Minnesota, seeking authority to register the connection of an automatic dialing-announcing device.

C-3867 In the Matter of Working Assets Funding Service, Inc., d/b/a Working Assets Long Distance, San Francisco, California, seeking authority to change their d/b/a trade name to Working Assets Funding Service, Inc., d/b/a Credo Long Distance: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3868 In the Matter of United Systems Access, Inc., Kennebunk, Maine, and American Fiber Network, Inc., Washington, D.C., seeking transfer of control of American Fiber Network, Inc. to United Systems Access, Inc.: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Gene Hand provided copies of Level 3 Communications' letter dated November 6, 2007, responding to AT&T's letter dated October 23, 2007, requesting that the Commission open an investigation for review of the Level 3 Communications tariff filed August 27, 2007. Windstream and AT&T letters dated November 15, 2007, addressing Level 3 Communications' tariff filing were also provided to the Commissioners.

C-3796 In the Matter of Cox Nebraska Telcom, LLC, Omaha, seeking arbitration and approval of an interconnection agreement pursuant to Section 252 of the Telecommunications Act of 1996, with Qwest Corporation, Denver, Colorado. Commissioner Anne Boyle presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order extending the deadline for the parties to file a conforming interconnection agreement from December 24, 2007 to January 4, 2008. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

C-3847 In the Matter of the Petition of Nebraska Technology & Telecommunications, Inc., Omaha, seeking arbitration of an interconnection agreement with Windstream Nebraska, Inc., Lincoln, pursuant to Section 252 of the Telecommunications Act of 1996. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order approving the voluntary negotiated interconnection agreement. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter orders approving applications C-3865, C-3866, and C-3877. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

C-3865 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of a Voice over Internet Protocol (VoIP) Amendment to Wireline Interconnection Agreement with Qwest Communications Corporation, Denver, Colorado, previously granted in Docket C-3286.

COMMUNICATIONS DEPARTMENT (Cont.)

- C-3866 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of a Performance Assurance Plan (PAP) Amendment to Wireline Interconnection Agreement with Integra Telecom of Nebraska, Inc., Portland, Oregon, previously approved in Docket C-2250.
- C-3877 In the Matter of Citizens Telephone Company of Nebraska, Rochester, New York, and Charter Fiberlink-Nebraska, LLC, St. Louis, Missouri, seeking approval for the adoption of an interconnection agreement previously approved in Docket C-3443 pursuant to 47 USC §252(i).

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order approving, in part, funding for equipment and GIS data costs in Docket 911-023.31; funding for equipment in Dockets 911-023.44 and 911-023.30; and approving funding of GIS software and maintenance in Docket 911-023.43. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

911-023.31 In the Matter of Scottsbluff County, Public Safety Answering Point, Gering, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

911-023.44 In the Matter of Polk County, Public Safety Answering Point, Osceola, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

911-023.43 In the Matter of Kimball County, Kimball, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

911-023.30 In the Matter of Box Butte County, Public Safety Answering Point, Alliance, seeking funding approval for recurring and non-recurring costs associated with Enhanced Wireless 911 implementation.

NUSF-33/
PI-68 In the Matter of the Commission, on its own motion, seeking to investigate the audit requirements related to the Nebraska Universal Service Fund. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order regarding audit waiver requests. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-68 In the Matter of the Distance Education Council of Nebraska seeking support from the Nebraska Universal Service Fund for use in distance education. Commissioner Vap presiding as Hearing Officer: Jeff Pursley discussed the Hearing Officer's Order entered November 20, 2007, scheduling a hearing for December 19, 2007 at 10:00 a.m. in the Commission Hearing Room, Lincoln.

NUSF-1 In the Matter of the Commission, on its own motion, seeking PO #7 to establish guidelines for administration of the Nebraska Universal Service Fund: Jeff Pursley discussed a deviation from the agreed upon procedures language for the Nebraska NUSF Remittance Worksheet Audit received from Allo Communication: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to accept the deviation from the agreed upon procedures language. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Jeff Pursley discussed credits or refunds by the carriers to the customer accounts against intrastate service charges and how the surcharge percentage is being applied.

NATURAL GAS DEPARTMENT

FC-1327 In the Matter of a Formal Complaint of the Nebraska Public Advocate, seeking a determination that Kinder Morgan, Inc., and/or its successor in interest, SourceGas Distribution, LLC improperly implemented, billed and received payment for interim and final rates in Application NG-0036 for which customers are entitled to a credit or refund from Kinder Morgan, Inc. and/or SourceGas Distribution, LLC. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order issuing findings on oral argument issues. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, Commissioner Frank Landis voting NAY, and Commissioner Anne Boyle excused not voting.

NG-0007.3 In the Matter of Aquila, Inc., d/b/a Aquila (Aquila), Omaha seeking to lower the current interim delivery charge to reflect the level of revenue deficiency currently under appeal in the Lancaster County District Court. Commissioner Landis pressing as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order approving the proposed tariff changes. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NATURAL GAS DEPARTMENT (Cont.)

NG-0047/ In the Matter of a Petition of the Nebraska Public Advocate
DR-0002 for a Declaratory Ruling seeking a determination that
Kinder Morgan, Inc., n/k/a SourceGas Distribution LLC,
improperly implemented interim and final rates in Application NG-0036
for which customers are entitled to a credit or refund: Motion made
by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to
enter an order overruling objection and upholding assessment. Motion
passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and
Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

NG-0052 In the Matter of Coral Energy Resources, L.P., Houston,
Texas, seeking authority for a Competitive Natural Gas
Provider Certificate in the state of Nebraska: Motion made by Commis-
sioner Frank Landis, seconded by Commissioner Tim Schram, to enter an
order granting approval. Motion passed with Commissioners Rod
Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and
Commissioner Anne Boyle excused not voting.

NG-0048 In the Matter of NorthWestern Corporation, d/b/a North-
Western Energy, Sioux Falls, South Dakota, seeking approval
of a natural gas general rate increase for Nebraska: Laura Demman
informed the Commission of a joint stipulation filed November 15,
2007, by NorthWestern and the cities of Kearney, Grand Island, North
Platte and Alda extending the time for negotiating a rate change until
November 21, 2007.

Motion made by Commissioner Jerry Vap, seconded by
Commissioner Frank Landis, to enter Assessment Orders HS-003, HS-015,
and HS-009. Motion passed with Commissioners Rod Johnson, Frank
Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne
Boyle excused not voting.

FC-1327 In the Matter of a Formal Complaint of the Nebraska Public
Advocate, seeking a determination that Kinder Morgan, Inc.
and/or its successor in interest, SourceGas Distribution,
LLC improperly implemented, billed and received payment for
interim and final rates in NG 0036 for which customers are
entitled to a credit or refund from Kinder Morgan, Inc.
and/or SourceGas Distribution, LLC. Commissioner Vap pre-
siding as Hearing Officer.

NG-0041 In the Matter of Aquila, Inc., d/b/a Aquila Networks
(Aquila), Omaha, seeking individual general rate increases
for Aquila's Rate Area One, Rate Area Two, and Rate Area
Three. Commissioner Landis presiding as Hearing Officer.

NATURAL GAS DEPARTMENT (Cont.)

NG-0044 In the Matter of the Joint Application of Aquila Inc. D/B/A Aquila Networks, Kansas City, Missouri; Black Hills Corporation, and Black Hills/Nebraska Gas Utility Company, LLC, both of Rapid City, South Dakota, seeking approval of the proposed transfer of Aquila's Certificate of Convenience and for a Change of Control of Aquila's Nebraska jurisdictional assets. Commissioner Landis presiding as Hearing Officer.

TRANSPORTATION DEPARTMENT

B-1626 In the Matter of Richard J. Behrends, d/b/a CR Limousine, Broken Bow: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order revoking the certificate in B-1626. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

BR-329 In the Matter of Transport Plus of Lincoln, d/b/a Transport Plus, Lincoln, seeking authority to adjust its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

MR-230 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Goods Tariff 7F: The fuel surcharge was increased to 90 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

John Fecht discussed the following shortages:

GW-2119 M.G. Waldbaum Company, d/b/a Wayne Grain & Feed, Wayne:
Corn
GW-2174 Pender Grain Elevator, Inc., Pender: Soybeans

Grain Dealer Division

GD-2925 In the Matter of Paul Edward Yekel, Hay Springs, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending September 30, 2008: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an Order granting the license. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

Commissioner Landis exited the Commission Hearing Room.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve the following Commission invoices. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, Commissioners Frank Landis and Anne Boyle excused not voting.

DAS Central Finance-Office Supplies	\$ 663.13
Ted Burkey	5,280.00
TechnoCom	4,625.00
Maurice Gene Hand	1,400.78
Fred Massing	1,381.98
Anne Boyle	654.30

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Alltel Corp	349.99
Beltone	1,654.90
Grand Island Hearing Aid Center	1,699.44
Hamilton Telecommunications	319.90
Carl A. Johnson Jr.	1,406.55
Johnson Hearing Aid Service, Inc.	146.29
K-D Communications	982.85
Professional Hearing Aid Services	379.85
Sherard Hearing Aid Center	551.90
The Hearing Clinic	2,080.00
Weitbrecht Communications	1,566.90
Teltex	719.30
Glassman's Hearing Aid Service	305.00

The following invoices were paid between November 6 and November 19, 2007 and should be ratified:

Attorney General	5,571.23
Latimer Reporting	568.00

Motion made by Commissioner Tim Schram, seconded by Commissioner Jerry Vap, to approve the Executive Director's recommendation to approve Commission minutes for the month of October 2007. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to authorize Commissioners to travel to and attend the Mid-America Regulatory Commissioners (MARC) Winter Conference to be held in San Antonio, Texas from January 3 through 6, 2008, with all expenses to be paid by MARC. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to authorize Fred Massing to travel to and conduct a modular housing unit factory inspection at Wardcraft Homes in Clay Center, Kansas on November 28, 2007, with all expenses, including time, to be reimbursed by Wardcraft Homes. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to hire a full time Grain Warehouse Examiner with a projected start date of January 2008. Motion passed with Commissioners Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioners Anne Boyle and Frank Landis excused not voting.

The meeting adjourned at 10:39 a.m. with Commissioners Johnson, Schram and Vap present and Commissioners Boyle and Landis excused. The next regularly scheduled meeting will be held on November 27, 2007, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on November 26, 2007.

Chairman

Executive Director